
4A

Action

Public Hearing

Proposed Addition of Sections 80021 and 80021.1

Executive Summary: The proposed addition of Sections 80021 and 80021.1 pertaining to the Short-Term Staff Permit and the Provisional Internship Permit are being presented for public hearing.

Recommended Action: The Commission adopt the proposed regulations to Sections 80021 and 80021.1 of the Title 5 Regulations.

Presenter: Dale Janssen, Director, Certification, Assignment and Waivers Division

Strategic Plan Goal: 1

Promote educational excellence through the preparation and certification of professional educators

- ◆ Sustain high quality standards for the preparation of professional educators

Proposed Addition of Sections 80021 and 80021.1

Introduction

The Commission at its December 2003 meeting took action to discontinue the issuance of emergency permits based on the following timeline:

July 1, 2004	July 1, 2005	July 1, 2006
Allow initial issuance with statement that permits may be reissued one time and all reissued permit will expire 6/30/06. Continue renewal issuance with statement that the permits may be issued one more time and all reissued permit will expire on 6/30/06	Allow initial issuance throughout the school year, however all permits will expire on 6/30/06. Allow initial issuance of the Short-Term Staff Permit and Provisional Internship Permit. Continue renewal issuance throughout the school year, however all permits will expire on 6/30/06.	Issuance only of Short-Term Staff Permit and Provisional Internship Permit.

Several organizations testified at both the Commission's November 2003 Study Session and the December 2003 Commission meeting that there would be a continuing need for a document that addressed unanticipated staffing needs. All organizations supported the July 1, 2006 phase out date as long as there was some flexibility to staff classrooms at the local level.

Stakeholders were asked to define an "emergency." An emergency, according to the general consensus of the stakeholders, occurs when the employing agency is unable to find a credentialed teacher for a classroom. However, the stakeholders determined that there were two distinct types of staffing needs.

- 1) **Acute staffing need:** When an employer needs to fill a classroom immediately based on an unforeseen need; for example when the teacher of record is unable to finish the school year due to an illness or when there is an enrollment adjustment.
- 2) **Anticipated staffing need:** When a district is aware that an opening is going to occur, conducts a diligent search for a credentialed teacher, but is unable to recruit one. This often occurs in the statewide shortage areas of special education, mathematics and sciences, however it can occur in almost any subject depending upon the site and district.

With the understanding that there are two distinct sets of staffing needs, the stakeholders suggested that the new document be bifurcated to offer one that would meet an acute staffing need and one for an anticipated staffing need when, after a diligent search, no appropriately credentialed teacher can be found.

Proposed Addition to Title 5 Regulations

§80021 Multiple Subject, Single Subject or Education Specialist Short-Term Staff Permit

This document would be used when a district needs to staff a classroom immediately. Some of the possible reasons discussed at the stakeholders meeting include illness, approved leave, enrollment adjustments and to serve as a bridge document for those who have completed subject matter competency but have been unable to enroll in a teacher preparation program. A justification for requesting the Short-Term Staff Permit will have to be submitted to the Commission from the employing agencies superintendent or designee in order for the Commission to issue the permit.

§80021.1 Multiple Subject, Single Subject or Education Specialist Provisional Internship Permit

This permit is for occurrences when the district knows that there will be an opening, conducts a diligent search yet is unable to recruit a suitable candidate. The expectations of the district and the employee are much higher since this individual will be the teacher of record and should be on a credential track. The focus of the document is meeting subject matter competency. Once a candidate completes subject matter competency, the candidate can be employed on a No Child Left Behind compliant document such as an Individualized Internship Certificate or a University or District Internship credential.

Comparison of Long-Term Emergency Permit to Provisional Internship Permit

Below is a comparison of the current emergency permit requirements to those being proposed for the Provisional Internship Permit. The major changes being proposed for the Provisional Internship Permit focus on subject matter competency, public notification and recruitment. The current emergency permit requires a candidate to make progress toward earning a credential, which at times allows the candidate to complete teacher preparation program requirements; yet not complete the subject matter requirement. In this situation, the candidate continues on the emergency permit for up to five years without making real progress toward earning a NCLB compliant document. The Provisional Internship focuses on subject matter, which allows the candidate to be employed on a NCLB compliant document once the candidate completes subject matter. The employing agency will be required to work with the Provisional Internship Permit holder to develop a personalized plan that would lead to subject matter competency and the employing agency must assist the holder to enroll in subject-matter training. This training is to assist the permit holder in completing the credential subject-matter competency requirement.

Also under the current requirements an employing agency must make an annual Declaration of Need attesting to the need for emergency permits and that an employing agency has recruited for suitable teachers. The Provisional Internship Permit requires public notice and verification of specific recruitment for each permit requested.

Comparison of Long-Term Emergency Permit and Provisional Internship Permit Requirements

Document Name	Long-Term Emergency Permit	Provisional Internship Permit
Purpose	Complete coursework to earn a credential	Take a subject matter examination to complete the subject matter competency requirement for a credential.
Candidate Requirements	BA CBEST Subject Matter: Multiple Subject – 40 semester units Single Subject – 18 semester units Special Education – 9 semester units in education or 3 years experience with special education students	BA – No change CBEST – No change Subject Matter: Multiple Subject – No change Single Subject – No change Special Education – Adds option of meeting subject matter for either multiple or single subject
Verification of Diligent Search	The employing agency annually files a Declaration of Need for Fully Qualified Educators. The Declaration of Need is an estimate of the number of emergency permits the employing agency anticipates hiring during the school year.	Verification of diligent search must be submitted with each request for the Provisional Internship Permit
Supervision and Support	The employing agency must provide orientation, guidance, and assistance that shall include, an overview of all of the following topics: the curriculum that an emergency permit teacher is expected to teach, effective techniques of classroom instruction, effective techniques of classroom management	No change

Document Name	Long-Term Emergency Permit	Provisional Internship Permit
Mentoring	The employing agency will assign an experienced educator to guide and assist each holder of an emergency teaching permit	No change
Subject Matter Competency	Emphasis is on earning a credential	Emphasis is on meeting the subject matter requirement for the credential
Personalized Plan to Complete Subject Matter	Evaluation by a university that provides coursework to earn a credential	Plan designed by the employing agency and applicant to complete subject matter requirement for credential
Apprised of Steps to Enroll in Internship Program	No requirement	Employing agency must apprise candidate of steps to enroll in internship program after completing subject matter requirement
Public Notice	Annual Declaration of Need	Board minutes reflecting notice of intent to hire each applicant
Validity of Document	5 years issued in one-year increments, based on completion of 6 semester units of coursework that apply toward the credential	2 years issued in one-year increments based on taking the appropriate subject matter examination. If the applicant passes the examination, the applicant would qualify for the internship credential.
Restriction	Document is restricted to employer.	No change

Disclosures Regarding the Proposed Actions

The Commission has made the following initial determinations:

Mandated costs to local agencies or school districts: None

Other non-discretionary costs or savings imposed upon local agencies: None

Cost or savings to any state agency: None

Cost or savings in federal funding to the state: None

Significant effect on housing costs: None

Significant statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: None

These proposed regulations will not impose a mandate on local agencies or school districts that must be reimbursed in accordance with Part 7 (commencing with Section 17500) of the Government Code.

Cost impacts on a representative private person or business: The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Assessment regarding the creation or elimination of jobs in California (Govt. Code §11346.3(b)): The Commission has made an assessment that the proposed amendment to the regulation(s) would not (1) create nor eliminate jobs within California, (2) create new business or eliminate existing businesses within California, and (3) affect the expansion of businesses currently doing business within California.

Effect on small businesses: The Commission has determined that the proposed amendment to the regulations does not effect small business. The regulations are not mandatory but an option that effects public school districts and county offices of education.

Notice of Proposed Rulemaking Mailing List and Responses

Mailing List

Commission Members on the Commission on Teacher Credentialing
California County Superintendents of Schools
Credential Analysts at the California County Superintendent Of Schools' Offices
Superintendents of California School Districts
Deans of Education at the California Institutions of Higher Education with
Commission-Approved Programs
Credential Analysts at the California Institutions of Higher Education with
Commission-Approved Programs
Presidents of Select Professional Educational Associations

This was also placed on the Internet at "<http://www.ctc.ca.gov>".

Tally of Responses

In Support

61 organizational opinions
16 personal opinions

In Opposition

0 organizational opinion
1 personal opinion

The Commission received 77 written responses in support and 1 personal opinion in opposition of the proposed addition of Sections 80021 and 80021.1 of the Title 5 Regulations.

Responses Representing Organizational Opinions in Support

- Alameda County Office of Education, Sheila Jordan, Superintendent
- Alta Loma School District, Michael K. Whisenand, Assistant Superintendent, Personnel/Support Services
- Adelante School District, Sheila Howlett, Credential/Personnel
- Anaheim City School District, Jenny E. Scott, Human Resource, Administrator
- Association of California School Administrators, Bob Wells, Executive Director (See Attached Letter)
- Azusa Unified School District, Dave Baker, Ed.D., Deputy Superintendent, Human Resources
- Bonsall Union School District, Jeffrey L. Schleiger, Superintendent
- Burlingame School District, Dr. Sonny H. DaMarto, Superintendent
- CalStateTEACH, CSU, Fullerton, Jean L. Krsak, Learning Support Faculty
- Central Union Elementary, Thomas Addington, Director Human Resources, Special Education and Technology
- Charter Oak Unified School District, Gloria Cortez, Assistant Superintendent, Human Resources
- Claremont Unified School District, Devon Freitas, Assistant Superintendent, Personnel
- Conejo Valley Unified School District, Dr. Jody Dunlap, Assistant Superintendent, Personnel Services
- Covina-Valley Unified School District, Louis Pappas, Assistant Superintendent
- Fallbrook Union Elementary School District, James C. Whitlock, Assistant Superintendent
- Fillmore Unified School District, Thomas Ecklund, Personnel Director/Risk Management
- Franklin-McKinley School District, Rudolph V. Herrera, Assistant Superintendent
- Helix Charter High School, Douglas D. Smith, Principal
- Hesperia Unified School District, Richard Bray, Superintendent
- Hesperia Unified School District, Bill Freeman, J.D., Deputy Superintendent, Human Resources/In-House Counsel
- Hesperia Unified School District, Sheryl Finch, Personnel Supervisor
- Madera Unified School District, Kathleen Lopes, Director
- Metropolitan Education District, Daniel E. Gilbertson, Director, Human Resources
- Modesto City Schools, Chris Flesuras, Associate Superintendent, Human Resources
- Moorpark Unified School District, Delpha Owen, Administrative Assistant, Personnel
- Mountain View-Los Altos Unified School District, Steve Hope, Associate Superintendent
- National School District, Cynthia A. Mesaros, Assistant Superintendent, Human Resources
- Ocean View School District, Craig Helmstedter, Ed.D., Associate Superintendent
- Ojai Unified School District, Tim Baird, Superintendent

- Patterson Joint Unified School District, Barbara McCleskey, Administrative Assistant, Human Resources
- Perris Union High School District, Dennis D. Murray, Superintendent
- Pleasant View Elementary School District, Collin S. Bromley, Superintendent/Principal
- Pollock Pines School District and Silver Fork School District, Molly Helms, Superintendent
- Porterville Unified School District, Dennis Martinez, Assistant Superintendent
- Rialto Unified School District, Joseph G. Davis, Ed.D., Assistant Superintendent, Personnel
- Rialto Unified School District, Anna Rodriguez, Director, Human Resources & Recruitment
- Redlands Unified School District, Pat Kohlmeier, President, Board of Education
- Redlands Unified School District, Robert J. Hodges, Superintendent
- Redlands Unified School District, Cynthia S. Andrews, Deputy Superintendent, Human Resources
- Redlands Unified School District, Sabine Robertson-Phillips, Coordinator, Human Resources
- Redlands Unified School District, William G. Klein, Director, Secondary Education
- Rio School District, Orvel A. Jones, Assistant Superintendent, Personnel
- Rowland Unified School District, Donna C. Patrick, Assistant Superintendent, Personnel Services
- Saddleback Valley Unified School District, Margaret Lewis, Director, Certificated Personnel
- San Bernardino County Superintendent of Schools, Bruce Kitchen, CCTC Liaison
- San Bernardino County Superintendent of Schools, Jenny Teresi, Credentials Manager
- San Jacinto Unified School District, Byron K. Isaac, Assistant Superintendent
- Santa Barbara County Education Office, Deborah M. Coleman, Assistant Superintendent, Human Resources
- Santa Clara County Office of Education, Laura Kidwiler, Assistant Superintendent, Human Resources
- Santa Clara County Office of Education, Mary L. Mulholland, Director, Human Resources
- Santa Clara County Office of Education, Mary Jane Roberts, Supervisor, Credential Services
- Santa Paula Union High School District, David A. Gomez, PH.D., Superintendent
- Simi Valley Unified School District, Cary Dritz, Deputy Superintendent
- Siskiyou Union High School District, Richard C. Holmes, Superintendent
- South Bay Children's Health Centers, Herbert C. Masi, Executive Director
- South San Francisco Unified School District, Frances S. Krug, Ed.D., Assistant Superintendent, Personnel Services
- Stratmore Union Elementary School District, David De Paoli, Superintendent
- Temple City Unified School District, Beverly Jones, Assistant Superintendent

- Tulare County Office of Education, Jeanne Nava, Assistant Superintendent, Human Resources
- Ventura County Superintendent of Schools Office, Denise J. Danne, Ed.D., Director of Human Resources
- Woodlake Public Schools, Steve M. Tietjen, Superintendent

Responses Representing Personal Opinions in Support

- Sherri L. Black, Director, Certificated Human Resources, Fontana Unified School District
- Sue Buster, Director Elementary Education, Redlands Unified School District
- Jim Canales, Coordinator Professional Development, Redlands Unified School District
- Geoffrey M. Garratt, Assistant Superintendent, Personnel, Central Unified School District
- Linda Gubman, Director, Administrative Services, San Bernardino County Superintendent of Schools,
- Robert H. Hubbell, Superintendent, Los Olivos School District
- Sherry Kendrick, Ed.D., Assistant Superintendent, Human Resources, Yucaipa-Calimesa Joint Unified School District
- Rhonda Kramer, Personnel Specialist Rialto Unified School District
- David G. LaQuay, Learning Support Faculty, CalStateTEACH, CSU Fullerton Regional Center
- Chris McGriff, Superintendent/Principal, Happy Valley Elementary School District
- Amanda Jill Nordin, Learning Support Faculty, CalStateTEACH
- Lori Rhodes, Assistant Superintendent, Redlands Unified School District
- Mark Rickabaugh, Assistant Superintendent, Human Resources, Folsom Cordova Unified School District
- Nora Rogue, Human Resources Coordinator, Beverly Hills Unified School District
- Harold J. Volkommer, Assistant Superintendent, Human Resources, San Bernardino City Unified School District
- Paul White, Director of Personnel, Panama-Buena Vista Union School District

Responses Representing Personal Opinions in Opposition

- Julie D. Lucas, Site Director, Therapeutic Education Center/Olive Crest

**Text of Proposed Changes to Division VIII of Title 5 of the
California Code of Regulations**

§80021 – Multiple Subject, Single Subject or Education Specialist Short-Term Staff Permit

Employing agencies shall request the Multiple Subject, Single Subject or Education Specialist Short-Term Staff Permit when there is an acute staffing need.

(a) The employing agencies shall demonstrate that applicants for the Short-Term Staff Permit have completed all of the following requirements:

- (1) Possession of a baccalaureate or higher degree from a regionally accredited college or university.
- (2) Verification of passage of the California Basic Education Skills Test (CBEST).
- (3) Successful completion of the specified number of semester units, or equivalent quarter units, of appropriate non-remedial course work taken at a regionally accredited college or university with a grade of “C” or higher, “Pass”, or “Credit” as found in (A), (B) and (C) below. Non-remedial coursework for the purposes of this section shall be defined as coursework that is applicable toward a bachelor’s degree or a higher degree at a regionally accredited college or university.

(A) For the Single Subject Short-Term Staff Permit, at least 18 semester units of course work in the subject to be listed.

(B) For the Multiple Subject Short-Term Staff Permit, at least 10 semester units of course work in each of at least four of the following subject areas or at least 10 semester units of course work in each of three subject areas and an additional 10 semester units of course work in a combination of two of the remaining subject areas. The subject areas are as follows: language studies, history, literature, humanities, mathematics, the arts, science, physical education, social science and human development.

(C) For the Education Specialist Short-Term Staff Permit either (A) or (B) above or verify a minimum of three years of successful full-time classroom experience, or the equivalent in part-time experience, working with special education students or verify a minimum of nine semester units of course work in special education or in a combination of special education and regular education that are appropriate to special education or regular education teaching credential.

- (4) The employing agency shall verify or submit the following to the Commission:

(A) That it has conducted a local recruitment for the Short-Term Staff Permit being requested.

(B) That it has provided permit holders with orientation to the curriculum and to techniques of instruction and classroom management and assigned a mentor teacher for the term of the Short-Term Staff Permit.

(C) Written justification for the Short-Term Staff Permit signed by the employing agency’s Superintendent or designee. In the case of a state certified non-public school, the director of the school must sign the justification.

(b) The Short-Term Staff Permit shall be issued for no more than one-year, provided that it shall expire at the end of the employing agency's school year and shall not be issued more than once to an individual.

(c) Individuals who were issued an emergency permit pursuant to Education Code Section 44300 that was reissued four times do not qualify for the Short-Term Staff permit.

(d) Use of the Short-Term Staff Permit shall be restricted to the employing agency requesting the permit.

(e) The Short-Term Staff Permit shall authorize the following:

(1) A Multiple Subject Short-Term Staff Permit authorizes the same service as a Multiple Subject Teaching Credential.

(2) A Single Subject Short-Term Staff Permit authorizes the same service as a Single Subject Teaching Credential.

(3) An Education Specialist Short-Term Staff Permit authorizes the same service as an Education Specialist Teaching Credential.

(f) Definitions:

(1) The term "employing agencies" as used in this section shall mean:

(A) Public school districts in California.

(B) County offices of education or county superintendents of schools in California.

(C) Schools that operate under the direction of a California state agency.

(D) Nonpublic, nonsectarian schools and agencies as defined in Education Code Sections 56365 and 56366.

(E) Charter Schools as defined in Education Code Section 47600.

(2) The term "acute staffing as used in this section shall mean when an employing agency needs to fill a classroom immediately based on an unforeseen need.

Note: Authority cited: Section 44225(a) Education Code. Reference: Sections 44225(b), 44225(d) and 44225(l)

§80021.1 Multiple Subject, Single Subject or Education Specialist Provisional Internship Permit

Employing agencies shall request the Multiple Subject, Single Subject or Education Specialist Provisional Internship Permit when a suitable credentialed teacher cannot be found after a diligent search.

(a) The employing agencies shall demonstrate that applicants for a Provisional Internship Permit have completed the following requirements:

- (1) Possession of a baccalaureate or higher degree from a regionally accredited college or university.
- (2) Verification of passage of the California Basic Education Skills Test (CBEST).
- (3) Successful completion of the specified number of semester units, or equivalent quarter units, of appropriate non-remedial course work taken at a regionally accredited college or university with a grade of "C" or higher, "Pass", or "Credit" as found in (A), (B) and (C) below. Non-remedial coursework for the purposes of this section shall be defined as coursework that is applicable toward a bachelor's degree or a higher degree at a regionally accredited college or university.

(A) For the Single Subject Provisional Internship Permit, at least 18 semester units of course work in the subject to be listed: or

(B) For the Multiple Subject Provisional Internship Permit, at least 10 semester units of course work in each of at least four of the following subject areas or at least 10 semester units of course work in each of three subject areas and an additional 10 semester units of course work in a combination of two of the remaining subject areas. The subject areas are as follows: language studies, history, literature, humanities, mathematics, the arts, science, physical education, social science and human development.

(C) For the Education Specialist Provisional Internship Permit, either (A) or (B) above or verify a minimum of three years of successful full-time classroom experience, or the equivalent in part-time experience, working with special education students or verify a minimum of nine semester units of course work in special education or in a combination of special education and regular education that are appropriate to special education or regular education teaching credential.

(4) The employing agencies shall verify or submit all of the following to the Commission with each request:

(A) That a diligent search has been conducted for a suitable credentialed teacher or suitable qualified internship teacher as evidenced by documentation of that search.

(B) That orientation, guidance and assistance to permit holders, as specified in Section 80026.5, will be provided.

(C) That the employing agency will assist the permit holder in developing a personalized plan through an agency defined assessment that would lead to subject matter competence that is related to the Provisional Internship Permit.

(D) That the employing agency will assist the permit holder to seek and enroll in subject-matter training, such as workshop or seminar formats and site-based courses along with training in test-taking strategies and will assist permit

holders in meeting the credential subject-matter competence requirement that is related to the Provisional Internship Permit.

(E) Verification that a notice of intent to employ the applicant in the identified position has been made public as follows:

(i) If the permit is being submitted by a public school district, it must include a copy of the agenda item presented to the governing board of the district in a public meeting with a signed statement from the superintendent, or his or her designee, that the item was acted upon favorably. The agenda item must state the name of the applicant, the assignment in which the applicant will be employed including the subject(s) and grade level(s) that he or she will be teaching and that the applicant will be employed on the basis of a Provisional Internship Permit.

(ii) If the permit is being submitted by a county office of education, state operated school, or nonpublic, nonsectarian school or agency, it must include a dated copy of the notice that was posted at least 72 hours before the position was filled and a signed statement from the superintendent or administrator or his or her designee that there were no objections to the permit. The notice must state the name of the applicant, the assignment in which the applicant will be employed including the subject(s) and grade level(s) that he or she will be teaching and that the applicant will be employed on the basis of a Provisional Internship Permit.

(F) Verification that the candidate has been apprised of steps to earn a credential and enroll in an internship program.

(b) The Provisional Internship Permit shall be issued in one-year increments for no more than two years. A permit may not be renewed for a second year unless the permit holder has taken all of the subject matter examinations that are listed on the Provisional Internship Permit.

(c) Individuals who were issued an emergency permit pursuant to Education Code section 44300 that was reissued four times do not qualify for Provisional Internship permit.

(d) Use of the Provisional Internship Permit shall be restricted to the employing agency requesting the permit.

(e) The Provisional Internship permits shall authorize the following:

(1) A Multiple Subject Provisional Internship Permit authorizes the same service as a Multiple Subject Teaching Credential.

(2) A Single Subject Provisional Internship Permit authorizes the same service as a Single Subject Teaching Credential.

(3) An Education Specialist Provisional Internship Permit authorizes the same service as an Education Specialist Teaching Credential.

(f) Definitions:

(1) The term "Employing agencies" as used in this section shall mean:

(A) Public school districts in California.

(B) County offices of education or county superintendents of schools in California.

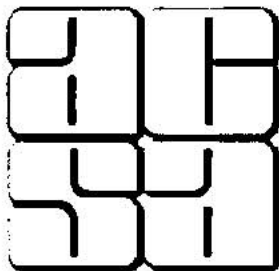
(C) Schools that operate under the direction of a California state agency.

(D) Nonpublic, nonsectarian schools and agencies as defined in Education Code Sections 56365 and 56366.

(E) Charter Schools as defined in Education Code Section 47600.

(2) The term “diligent search” as used in this section shall include, but is not limited to, distributing job announcements, contacting college and university placement centers, and advertising in print or electronic media.

Note: Authority cited: Section 44225(a) Education Code. Reference: Sections 44225(b), 44225(d) and 44225(l)



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<http://www.acsa.org>

December 27, 2005

**Mr. Lawrence Madkins, Chair
Commission on Teacher Credentialing
1900 Capitol Avenue
Sacramento, CA 95814**

Re: Support Proposed Title 5 Regulations on Multiple Subject, Single Subject or Education Specialist Short-Term Staff Permit and Multiple Subject, Single Subject or Education Specialist Provisional Internship Permit

Dear Chair Madkins,

The Association of California School Administrators strongly supports the proposed language both the Short Term Staff Permit and the Provisional Internship Permit. ACSA has been pleased to be part of a large stakeholder group that has worked for over a year to craft the documents that will move permit holders as quickly as possible to a fully credentialed status.

While every administrator in the state would choose to have a suitable fully credentialed teacher in every classroom, the reality in California is that there are shortage areas what are projected to increase in the near future. These documents provide a viable means to staff classrooms when credentialed teachers are not available and yet do not allow the use of permits for an unlimited amount of time.

We thank you for the opportunity to provide this input and urge your approval of these proposed regulations.

Sincerely,

Bob Wells, Executive Director

C: Dr. Sam Swofford